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TELECOPIER COVER SHEET

DATE: January 19, 2006

OUR FILE NO: 9215.4803

TO: UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR PATENTS

ATTENTION: EXAMINER CHRISTOPHER R. HARMON, ART UNIT 3721

TELECOPIER NO: 571-273-8300

FROM: DALE PAUL DiMAGGIO, ESQ.

REGARDING: LOOSE FILL PACKING MATERIAL AND
APPARATUS FOR MANUFACTURING SAME

TOTAL PAGES: 6 (INCLUDING COVER SHEET)

[NOTE: IF YOU DO NOT RECEIVE THE NUMBER OF PAGES LISTED ABOVE, OR IF YOU HAVE ANY PROBLEMS WITH RECEIVING, PLEASE CALL OUR OFFICE AND ASK FOR DEBI]

SPECIAL NOTE:

AMENDMENT - SECOND ELECTION

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Serial Number: 10/710,446

File Number: 9215.4803

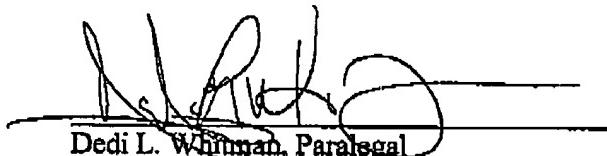
CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the following correspondence: *Patent Amendment Transmittal Letter and one (1) photocopy of the same; Amendment and Second Election* is being facsimile transmitted to examiner Christopher R. Harmon at the Patent and Trademark Office Fax No. (571) 273-8300, on this 18th day of January 2006.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code.

Any additional charges, including extension of time, please bill our Account

No. 13-1130.



Dedi L. Whilman, Paralegal

Date: January 19, 2006

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1A9215FORMS\14803.AMEND.FAXING.02

JAN. 19. 2006 8:30AM MALIN HALEY

NO. 180 P.3/6
Case Docket No. 9215.4803

In re Application of : Levine, Norman D.
 Serial No. : 10/710,446
 Filed : July 12, 2004
 For : LOOSE FILL PACKING MATERIAL AND
 APPARATUS FOR MANUFACTURING SAME

Fax Amendment - No Fee
 COMMISSIONER FOR PATENTS
 Alexandria, VA 22313-1450

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JAN 19 2006

AMENDMENT TRANSMITTAL LETTER

Sir:

- Transmitted herewith is an amendment in the above-identified application.
- Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.
- No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY	OTHER THAN A SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PAID FOR		PRESENT EXTRA		RATE	ADDITIONAL FEE
TOTAL	* 48	MINUS	** 48	=	0		x\$25	\$ 0.00
INDEP	* 3	MINUS	*** 3	=	0		x\$100	\$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM								
							x\$150	\$ 0.00
							x\$300	\$

TOTAL ADDIT. FEE	\$0.00	OR	\$ 0.00
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- Please charge our Deposit Account No. 13-1130 in the amount of \$. A duplicate copy of this sheet is attached.
- A Request for a _____ Extension of Time together with a check in the amount of \$ _____.00 for the fee is attached.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-1130. A duplicate copy of this sheet is attached.
- Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- Any patent application processing fees under 37 CFR 1.17.
- If there are any additional charges, including extensions of time, please bill our Deposit Account No. 13-1130.

MALIN, HALEY & DiMAGGIO, P.A.
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Respectfully submitted,



Dale Paul DiMaggio, Reg. No. 31,823

CLIENT NO. 22235
 49215\fm\4803.amendment transmittal.02

In re Application of : Levine, Norman D.
 Serial No. : 10/710,446
 Filed : July 12, 2004
 For : LOOSE FILL PACKING MATERIAL AND
 APPARATUS FOR MANUFACTURING SAME

Fax Amendment - No Fee
COMMISSIONER FOR PATENTS
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL LETTER

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	(Col. 1)	(Col. 2)	(Col. 3)	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PAID FOR	PRESENT EXTRA
TOTAL	* 48	MINUS	** 48	= 0
INDEP	* 3	MINUS	*** 3	= 0

FIRST PRESENTATION OF MULTIPLE DEP. CLAIM

SMALL ENTITY		OTHER THAN A SMALL ENTITY	
RATE	ADDT. FEE	RATE	ADDT. FEE
x\$25	\$ 0.00	x\$50	\$
x\$100	\$ 0.00	x\$200	\$ 0.00
x\$150	\$ 0.00	x\$300	\$

TOTAL ADDT. FEE	\$0.00	OR	\$ 0.00
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- Please charge our Deposit Account No. 13-1130 in the amount of \$. A duplicate copy of this sheet is attached.
- A Request for a _____ Extension of Time together with a check in the amount of \$ _____.00 for the fee is attached.
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Respectfully submitted,


 Dale Paul DiMaggio, Reg. No. 31,823

CLIENT NO. 22235
 IAB215\frm4803.amendment transmittal,02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

January 18, 2006

**RECEIVED
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In re application of : Levine, Norman D.
Serial No. : 10/710,446
Filed : July 12, 2004
For : **LOOSE FILL PACKING MATERIAL AND APPARATUS FOR MANUFACTURING SAME**
Examiner : Harmon, Christopher R.
Art Unit : 3721
Our File No. : **9215.4803**

AMENDMENT – SECOND ELECTION

Fax Amendment – No Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Examiner Harmon:

In response to the Examiner's Restriction Requirement in the Office Action mailed December 27, 2005, Applicant makes a preliminary election, respectfully with traverse, to Group III, Claims 1, 19-29, 38-40 and 45- 47, for prosecution on the merits.

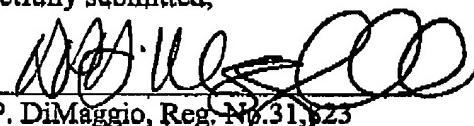
Applicant respectfully requests the Examiner's reconsideration of this second election requirement. Claim 1 is generic and relates to all of the Groups indicated. Further, all sub-classes are within Class 493 and are related by the structure set forth in Claim 1.

Should the Examiner have any remaining questions or comments, the undersigned would request a telephone call to possibly expedite this case.

Applicant: Levine, N.
Serial No: 10/710,446
Page 2

Any additional charges, including Extensions of Time, please bill our Deposit Account No.
13-1130.

Respectfully submitted,


Dale P. DiMaggio, Reg. No. 31,523
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